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Counsel for Defendant CRUZ

11 UNITED STATES OF AMERICA,) No. CR 11-00966 MMC
12 Plaintiff,)
13 v.) **STIPULATION AND PROPOSED
14 PEDRO HUMBERTO CRUZ,) ORDER FOR CONTINUANCE OF
15 Defendant.) SENTENCING DATE; ORDER THEREON
) Date: April 25, 2012
) Time: 2:15 p.m.
) Court: The Honorable Maxine M. Chesney
)**

The parties hereby stipulate and agree as follows:

18 1. Defendant Pedro Humberto Cruz respectfully requests from the Court a
19 continuance of his sentencing date;
20 2. The reasons for the request is for defense counsel to obtain a signature and
21 approval on a drafted declaration from the defendant's half brother, Adan Lobo.
22 Mr. Lobo has been interviewed with a Spanish speaking interpreter and a
23 substantive declaration has been prepared in support of the defendant's
24 sentencing. Over the last four days, defense counsel has had trouble finding a
25 mutual time in which Mr. Lobo can review and sign the declaration, due to Mr.
Lobo's work schedule, transportation issues, and defense counsel's unavailability

1 this upcoming weekend. Sentencing memoranda had been due to this Court on
2 April 20, 2012;

3 3. Defense counsel now has an appointment to meet Mr. Lobo at his home
4 tomorrow, April 24, 2012. She thus requests a continuance of the sentencing to
5 May 9, 2012 at 2:15 p.m., so defense counsel can present all mitigating evidence
6 to the Court in a timely manner;

7 4. The Probation Officer, Brian Casai, has been contacted about the change in
8 sentencing date, and has no objection to a sentencing date of May 9, 2012;

9 5. The United States Attorney's Office has no objection to a continuance of the
10 sentencing date to May 9, 2012 at 2:15 p.m.;

11
12 Dated: April 23, 2012

13 _____ /S/
14 ELIZABETH M. FALK
Assistant Federal Public Defender

15 _____ /S/
16 LOWELL POWELL
Special Assistant United States Attorney

17
18 [PROPOSED] ORDER

19 For the reasons stated in the stipulation filed herewith, the sentencing of defendant ~~Ricky~~
20 ~~Pedro Humberto Cruz~~
~~Hawkins~~ is hereby continued to May 9, 2012 at 2:15 p.m.

21 IT IS SO ORDERED

22 Dated: April 24 2012

23 
24 THE HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE

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